

## Message Text

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ACTION AF-18

INFO OCT-01 ISO-00 EB-11 AID-20 CIAE-00 INR-10 NSAE-00

RSC-01 TRSE-00 L-03 COME-00 OMB-01 IGA-02 IO-14 DRC-01

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R 271200Z MAR 74

FM AMEMBASSY ACCRA

TO SECSTATE WASHDC 3042

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EO 11652 NA

TAGS: EFIN PFOR GH BGEN

SUB: GHANA DEBT: DREVICI CLAIMS: UNITED CALIFORNIA BANK

REF: ACCRA 1212, STATE 03991

1. BELATED DEI-ANANG REPORT FOR UCB FOLLOWS INPARA 2. FOR DEPT'S INFO, "DRAWER" IS NOE DREVICI, WHO STILL IN ACCRA. DEI-ANANG UNDERSTANDS THAT EMBASSY TRANSMITTING THIS TEXT ON EXTRORDINARY BASIS AT REQUEST OF HIS U.S. CLIENTS, AND THAT EMBASSY NOT IN POSITION MAKE PRACTICE OF RELAYING HIS MESSAGES.

2. BEGIN TEXT. FROM: DEI-ANANG, MARCH 27, 1974. TO: ROBERT WILLIAMS, SENIOR VICE-PRESIDENT, UNITED CALIFORNIA BANK; LOS ANGELES, U.S.A. THIS IS A SUMMARY OF PROGRESS TO DATE:

1) OUR LETTER TO THE ATTORNEY-GENERAL FORMALLY PRESENTING YOUR CLAIM AND INDICATING OUR READINESS TO SUE IF NECESSARY HAS TO DATE NOT BEEN OFFICIALLY ACKNOWLEDGED, ALTHOUGH I HAVE RECEIVED INDICATIONS SINCE IT S PRESENTATION THAT THE CLAIM WILL NOT RPT NOT BE REJECTED.

2) A NEW INDEMNITY DECREE OF LATE NOVEMBER CONSIDERABLY WIDENED THE GOVERNMENT'S IMMUNITY FROM SUIT IN THIS COUNTRY  
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IN RESPECT OF A WIDE RANGE OF MATTERS, AND I JUDGED IT

BEST NOT TO PREJUDICE YOUR GOODWILL AND THE STILL FAIR  
CHANCES OF NEGOTIATION BY FILING SUIT IN THE TEETH OF  
THE NEW LEGISLATION.

3) IN ANY EVENT THE DOCUMENTATION I REQUIRED FOR BACKING  
UP THE COURT PROCESS WHICH WAS TO BE FORWARDED TRANSLATED  
FROM GENEVA SOON AFTER MY NOVEMBER VISIT DID NOT ARRIVE  
TILL SECOND WEEK JANUARY.

4) THE LIMITATION DIFFICULTY HAS BEEN CLEARED UP. IT IS  
NOW DEFINITELY ESTABLISHED THAT THE PERIOD IS SIX YEARS  
NOT THREE, SHOULD COURT ACTION BE ULTIMATELY NECESSARY, AND  
I BELIEVE THIS SUBSTANTIALLY LENGTHENS OUR OPTIONS.

5) I ARRIVED BACK HERE 26TH FEBRUARY AFTER ANOTHER TRIP  
ABROAD TO FIND THAT THE DRAWER OF YOUR BILLS IS HERE IN  
PERSON ACTIVELY RENEGOTIATING A RESUMPTION OF HIS ABANDONED  
PROJECTS, AND DECIDED TO FIND OUT AND ASSESS HIS CHANCES  
OF SUCCESS BEFORE ADVISING YOU ABOUT THE POSITION AS YOU  
REQUESTED.

6) THE DRAWER RETURNED TO GHANA ON AN INVITATION PERSONALLY  
SIGNED BY THE HEAD OF STATE DATED 25TH JANUARY 1974.

7) THE NEGOTIATIONS ARE IN THE NATURE OF AN ATTEMPT AT A  
GLOBAL SETTLEMENT OF THE TOTAL DEBT ARISING FROM THE  
RELEVANT PROJECTS AND APPEAR TO BE WELL ADVANCED.

8) I HAVE SEEN EVIDENCE THAT SOMETIME IN 1972 A GOVERNMENT  
RESPONSE TO ANOTHER HOLDER IN DUE COURSE TOOK THE VIEW  
THAT PAYMENT OF BILLS NEGOTIATED BY THIS DRAWER WOULD BE  
CONDITIONAL ON SUCCESSFUL NEGOTIATION WITH DRAWER OF  
MATTERS OUTSTANDING BETWEEN HIM AND THE GOVERNMENT.

9) IN VIEW OF THIS I BELIEVE THAT OUR BEST CHANCE OF  
SUCCESS IN THIS NEW SITUATION MAY LIE IN SOME FORM OF  
LIAISON WITH THE DRAWER IN THIS EXERCISE, WHATEVER OUR  
RESERVATIONS MAY BE AND PROCEEDING WITH GREAT CAUTION  
KNOWING THE BUSINESS HISTORY OF THIS DRAWER. I HAVE HAD A  
PRELIMINARY CONVERSATION WITH THE DRAWER AND HE IS VERY  
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CONFIDENT OF SUCCESS THIS TIME. AFTER INDEPENDENT  
CHECKS I FIND HIS OPTIMISM WELL-FOUNDED.

10) I MADE A GUARDED PROPOSAL IN AN INTERVIEW WITH  
THE DRAWER THAT IT MIGHT BE USEFUL IF WE COULD COOPERATE  
IN PURSUIT OF OUR JOINT CLAIMS AND IT WAS ENTHUSIASTICALLY  
RECEIVED, EVEN THOUGH MADE EXPRESSLY SUBJECT TO YOUR  
FINAL APPROVAL.

11) I BELIEVE THAT YOUR INTERESTS CAN BE ADEQUATELY  
SAFEGUARDED DURING SUCH COOPERATION TO APPLY CONCURRENT  
PRESSURE FOR PAYMENT, AND RECOMMEND THAT YOU APPROVE MY  
CONTACTING THE DRAWER'S LOCAL ATTORNEY- WHOSE REPUTATION IS  
IMPECCABLE-FOR THIS PURPOSE. I AWAIT YOUR INSTRUCTIONS ON  
THIS URGENTLY. END TEXT. INTERESTED PARTY. DECON ON RECEIPT.  
HADSEL

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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